

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 3/25/2020

----- X  
AG MIT, LLC, AND MIT K, LLC,

Plaintiff,

-against-

RBC (BARBADOS) TRADING  
CORPORATION, and ROYAL BANK OF  
CANDADA,

Defendants. :  
----- X

20 Civ. 2547 (LGS)

**ORDER**

LORNA G. SCHOFIELD, District Judge:

WHEREAS, at 11:10 A.M. on March 25, 2020, Plaintiff commenced this action, alleging breach of contract, anticipatory breach of contract and breach of the implied covenant of good faith and fair dealing. ECF 1.

WHEREAS, at approximately 1:10 P.M. on March 25, 2020, Plaintiff brought to the Courthouse, in hard copy, the Complaint, a twenty-three-page memorandum of law in support of an application for an temporary restraining order and preliminary injunction, and accompanying declarations (two) and exhibits (twenty-one) totaling well over 100 pages;

WHEREAS, at 2:48 P.M., Plaintiff sent via email these materials to the Chambers Inbox;

WHEREAS, Plaintiff's application requests that the Court issue a temporary restraining order to halt Defendants' sale of Plaintiff's assets at an auction which began at 11:00 A.M. on March 25, 2020. It is hereby


**ORDERED** that the application is DENIED as moot. The materials necessary to determine whether to grant Plaintiff's application were not provided to the Court until over three hours after the auction began. An appropriate review of Plaintiff's materials, even on an expedited motion for a temporary restraining order, would require substantially more time than

Plaintiff provides. Even a cursory review of Plaintiff's material, given this schedule, may result in a decision issued after the sale of the assets or, if the assets are not sold, after the close of the auction.

A telephonic conference will be held to discuss this matter on **Thursday, March 26, 2020, at approximately 11:30 A.M.** Plaintiff shall, as soon as possible, file on the docket a letter providing a dial-in number and access code. The parties shall be available at 11:30 A.M. and the Court will join as soon as the immediately preceding matter concludes. The parties shall confer in the interim in an effort to resolve their differences short of a court order, and if necessary shall request to adjourn the conference if they are having productive discussions that have not yet concluded.

Plaintiff shall email a copy of this Order to Defendants' counsel as soon as possible.

Dated: March 25, 2019  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**